

UNITED STATES BANKRUPTCY COURT
DISTRICT OF SOUTH CAROLINA

In Re:

Roger Lee Phillips
d/b/a Philips Tree Farm
Ira Sue Phillips

SSN 247-90-5945
SSN 248-08-0808

Case No. 00JN02764-B

Chapter 12

FILED
MAY -3 AM 10:54

Debtor(s) /

APPLICATION FOR APPROVAL OF EMPLOYMENT OF ATTORNEY

The application of Roger Lee Phillips, d/b/a/ Rogers Tree Farm and Ira Sue Phillips respectfully represents:

1. On March 29, 2000 , the debtors filed a petition under Chapter 12 of the Bankruptcy Code.

2. The debtors have continued in possession of its property, and is now operating its business and managing its property.

3. The debtors, as debtor in possession, wishes to employ the Law Office of John K. Fort, attorneys duly admitted to practice in this Court.

4. The debtors have selected the Law Office of John K. Fort because they have had considerable experience in matters of this character, and the debtors believe that the Law Office of John K. Fort is well qualified to represent it as debtor in possession in this proceeding.

5. The debtors request authorization to employ the Law Office of John K. Fort in order that certain necessary legal services will be provided to the debtor including:

(a) providing the debtor with legal advice with respect to its powers and duties as debtor in possession in the continued operation of its business and management of its property;

(b) preparing on behalf of the debtor necessary applications, answers, orders, reports in the Bankruptcy Court and other legal papers as required by the Bankruptcy Court;

6. The debtors believe, to the best of their knowledge and information, that the Law Office of John K. Fort is a disinterested person as that term is defined by 11 U.S.C. §101(14) and that the Law Office of John K. Fort does not hold or represent an interest adverse to the estate.

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7. The Law Office of John K. Fort performed pre-petition work for the debtor in the amount of \$2,945.00 in an effort to prevent the filing of bankruptcy. Other than as set forth above, to the best of the debtor's knowledge, The Law Office of John K. Fort has had no connection with the debtor, creditors, any other party in interest, their respective attorneys and accountants, the United States Trustee or any person employed in the office of the United States Trustee.

The debtor and The Law Office of John K. Fort have agreed that The Law Office of John K. Fort will be employed on a general retainer, that attorneys in The Law Office of John K. Fort will bill at their customary rate of \$185.00 per hour for their services, and that they will charge for the time of their paralegals at \$50.00 per hour. The Law Office of John K. Fort has been paid a retainer prior to the filing of this case in the amount of \$2,945.00. The retainer was paid by the debtor from its funds on hand. The debtor and The Law Office of John K. Fort understand that the compensation of the Law Office of John K. Fort will be set by the Court pursuant to 11 U.S.C. §330(a) and that the amount of compensation set by the court may differ from that agreed to between them.

The debtor requests that the Court consider its application and approve the appointment of The Law Office of John K. Fort as attorney for the debtor.

Respectfully submitted,

Roger Lee Phillips

Roger Lee Phillips
d/b/a Phillips Tree Farm
9990 New Cut Road
Campobello, SC 29322
(864) 895-1522 or
(864) 895-5075

Ira Sue Phillips

Ira Sue Phillips

Date: 5/21/2000